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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,647	12/15/2000	Henricus Antonius Wilhelinus Van Gestel	PHN 17,798	1569

7590 03/25/2003

Jack E. Haken  
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Intellectual Property Department  
580 White Plains Road  
Tarrytown, NY 10591

EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2675

10

DATE MAILED: 03/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/738,647

Applicant(s)

VAN GESTEL ET AL.

Examiner

Srilakshmi K. Kumar

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6 and 8-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

The following office action is in response to Amendment A, filed January 8, 2003. Claims 2 and 7 have been canceled. Claims 1, 3, 6, 8 and 9 have been amended.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3 and 5, 6, and 8-12 rejected under 35 U.S.C. 102(e) as being anticipated by Cok (US 6,298,154)

As to independent claims 1 and 9, Cok discloses an apparatus for reproducing handwritten input, comprising; an input device for inputting a plurality of handwritten characters (col. 3, lines 32-58), a recognition unit for recognizing a plurality of handwritten characters (col. 4, lines 21-51), a creation unit for creating a new font on the basis of the plurality of handwritten characters (Figs. 4-6, col. 4, lines 53-col. 5, lines 10), a selection unit for selecting the new font (col. 4, line 53-col. 5, line 10), wherein the selection unit is arranged to select the new font as the selected font in which the one or more display characters are displayed (as shown in Fig. 6), and a display unit for displaying a plurality of display characters corresponding to respective ones of the recognized handwritten characters corresponding to respective ones of the recognized handwritten characters (Fig. 1, item 30 and Fig. 6).

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As to independent claims 6 and 8, Cok discloses a system for transmission of handwritten input comprising, a transmitter having an input device for inputting a plurality handwritten characters (Fig. 1, the scanner transmits the handwritten input), a recognition unit for recognizing the a plurality of handwritten characters and representing them as one or more respective character codes (col. 4, lines 21-51), a creation unit for creating a new font on the basis of the plurality of handwritten characters (Figs. 4-6, col. 4, lines 53-col. 5, lines 10), a selection unit for selecting a font (col. 4, line 53-col. 5, line 10), and transmission means for transmitting the one or more characters codes and a font identification of the selected font to a transmission medium (Fig. 1, the scanner transmits the handwritten input), and a receiver having receiving means for receiving the one or more character codes and the font identification from the transmission medium (Figs. 4-6, col. 4, lines 53-col. 5, lines 10), and a display unit for displaying one or more display characters corresponding to respective ones of the character codes (Fig. 1, item 30 and Fig. 6).

As to dependent claim 3, limitations of claim 1, further comprising, wherein the creation unit is arranged to create the font on the basis of averaging over a number of handwritten characters and on the basis characteristics in this number of handwritten characters (Figs. 4-6, col. 4, lines 53-col. 5, lines 10).

As to dependent claim 5, limitations of claim 1, further comprising, comprising a further input device for inputting further characters, wherein the display unit is arranged for on the display device in the selected font displaying one or more display characters corresponding to respective ones of the further characters (col. 3, lines 32-58).

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As to dependent claim 10, limitations of claim 9, further comprising, wherein the font is selected when a predetermined number of characters have been recognized (Figs. 4-6, col. 4, lines 53-col. 5, lines 10).

As to dependent claim 11, limitations of claim 9, further comprising, a computer program (col. 3, lines 35-47)

As to dependent claim 12, limitations of claim 11, further comprising, a tangible medium carrying the computer program (col. 3, lines 35-47).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cok (US 6,298,154).

As to dependent claim 4, limitations of claim 1, further comprising, comprising a segmentation unit for segmenting the inputted handwritten characters into one or more words (col. 3, lines 55-58, col. 5, lines 21-col. 6, lines 24 and Figs. 14 and 15), and a spell check unit for verifying the presence of the one or more words in an electronic dictionary. Cok does not disclose a spell check unit. It would have been obvious to one of ordinary skill in the art to have a spell check unit. It is known in the art that most computer systems with an operating system and word processing have spell check features as it is advantageous for users writing important reports/documents etc.

*Response to Arguments*

5. Applicant's arguments with respect to claims 1, 6, 8 and 9 have been considered but are moot in view of the new ground(s) of rejection.

With respect to claims 1, 6, 8 and 9, the amendment of a plurality of handwritten characters required further search and thus a new rejection as Shojima et al primarily dealt with one handwritten character as opposed to a plurality of handwritten character. This action has been made FINAL. See new rejection above.

*Conclusion*

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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**Or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-6606 (for informal or draft communications, please label

“PROPOSED” or DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,  
Arlington, VA, Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575.

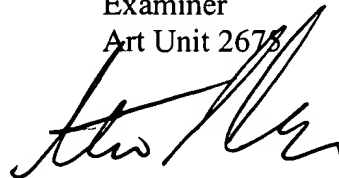
The examiner can normally be reached on 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s  
supervisor, Steven J. Saras can be reached on 703 305 9720. The fax phone numbers for the  
organization where this application or proceeding is assigned are 703 872 9314 for regular  
communications and 703 308 9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the receptionist whose telephone number is 703 305 4700.

SKK  
March 22, 2003

Srilakshmi K. Kumar  
Examiner  
Art Unit 2675



STEVEN SARAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600